



**TOWN OF HARPSWELL  
PLANNING BOARD MINUTES  
AUGUST 18, 2004  
DRAFT**

**MEMBERS PRESENT**

Sam Alexander, Chairman  
John Papacosma, Vice Chairman  
Dorothy Carrier  
Joanne Rogers  
Henry Korsiak

**MEMBERS ABSENT**

James Carignan

**STAFF PRESENT**

Jay Chace, Planner  
Marsha Hinton, Recording Secretary

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The Town of Harpswell Planning Board meeting being duly advertised in the Times Record was called to order at 6:30 p.m. by Sam Alexander, Chairman.

Minutes of July 21, 2004

John Papacosma noted a grammatical error on page three of the minutes.

**JOANNE ROGERS MOVED, SECONDED BY DOROTHY CARRIER TO  
ACCEPT THE MINUTES AS AMENDED.**

**UNANIMOUS APPROVAL.**

The Planning Board was polled and decided to rearrange the order of the agenda items hearing new business item one before old business item one.

**NEW BUSINESS**

**ITEM 1**

**04-08-01 WILLIAM COOMBS, (THOMAS LEAHY – OWNER), PRELIMINARY  
SUBDIVISION REVIEW; PROPOSED LOT DIVISION, INTERIOR, TAX MAP  
41-73-1, HOLLY HILL ROAD, HARPSWELL.**

William Coombs, representing the applicant, described the location of the lot, well design, right-of-way, road access options, Maine Department of Transportation input, contour map, road associations, input from the Department of Environmental Protection, soil tests, grades, and topography. Mr. Coombs also pointed out that the contour map provided showed contours at 20 foot intervals instead of 5 foot and requested that the Planning Board waive the 5 foot requirement.

The Planning Board held discussion on access, right-of-way, road standards, grades, site walk, subdivision criteria, drainage, waivers, and erosion control plan.

The Planning Board was polled and decided that discussion of the waiver request would be deferred until the site walk.

Chairman Alexander thanked the applicant.

## **OLD BUSINESS**

### **ITEM 1**

#### **04-07-03 BRUCE MARTINSON, DIRIGO LAND SERVICES (JOHN MOORE – OWNER) SUBDIVISION REVIEW; CREATE 12 TWO ACRE LOTS, SHORELAND RESIDENTIAL, TAX MAP 12-188, SHORE ACRES ROAD.**

Bruce Martinson, Dirigo Land Services, pointed out changes to the site plan; reduction in number and reconfiguration of lots, a sketch showing the proposed erosion control plan, tree conservation, access, soils, slopes, cluster housing, homeowner associations, roads, topography and septic data. Mr. Martinson requested waivers on Section 8.3.2.11, Section 8.3.2.12, and Section 8.3.2.16.

John Moore, Owner, read a letter from John Moncure, Esq., dated August 18, 2004, with regard to creation of right-of-ways. Mr. Moore also discussed house size, tree conservation and tree growth tax, septic design plans, cluster housing, and input from the Heritage Land Trust.

Jim Hillier, geologist, stated that there would be no intrusion of saltwater into the site.

The Planning Board held discussion on septic bed design, access, waivers, house size, well location, forestry plan, cluster housing, geology ground water quantity and quality survey, historical information, staff input, and input from the Department of Environmental Protection.

There being no further discussion from the Planning Board, Chairman Alexander, opened the floor to members of the public who wished to comment.

Jane Gregory, abutter, asked that the Planning Board insure that the driveway is in fact just a private driveway, with walking access for subdivision residents and that there will be no additional vehicular traffic.

Lloyd Thompson, 90 Thompson Road, pointed out the traffic hazard caused by the overgrowth of vegetation at Shore Acres Road and Thompson Road. Mr. Thompson asked that this be investigated and made safer.

There being no further comments from members of the public present, Chairman Alexander closed the public comment portion of the meeting.

## **PLANNING BOARD CONSIDERATION OF SUBDIVISION ORDINANCE SECTION 8.3.2**

### **Section 8.3.2.1 Proposed Name of the Subdivision Plan.**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THE NAME OF THE SUBDIVISION HAS BEEN IDENTIFIED ON THE PLAN.**

### **Section 8.3.2.2 Tax Map**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THE TAX ASSESSOR'S MAP HAS BEEN PROVIDED IN NOTE 3 ON THE PLAN.**

### **Section 8.3.2.3 Verification of Title**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT PROOF OF TITLE HAS BEEN PROVIDED BY COPIES OF DEEDS.**

### **Section 8.3.2.4 Boundary Survey**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT A BOUNDARY SURVEY HAS BEEN PROVIDED.**

### **Section 8.3.2.5 Topography**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT AN APPROPRIATE CONTOUR MAP HAS BEEN PROVIDED BASED ON A WAIVER REQUEST WITH REGARD TO CONTOURS WHICH WAS APPROVED BY THE PLANNING BOARD AT THE JULY 21, 2004 MEETING.**

### **Section 8.3.2.6 Encumbrances Affecting the Property**

Chairman Alexander asked the applicant if they had provided the Planning Board the most recent information on covenants.

Bruce Martinson passed out and read the draft of the most recent information on encumbrances. Mr. Moore stated that a revised draft had been made, but was not available.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT INFORMATION ON ENCUMBRANCES AND COVENANTS HAVE NOT BEEN PROVIDED.**

### **Section 8.3.2.7 Acreage of Subdivision and Square Footage of Individual Lots.**

Chairman Alexander asked the total subdivision acreage in light of the removal of one of the lots.

Bruce Martinson stated the total number of acres in the subdivision has been reduced by 51,000 square feet. Mr. Martinson stated that he could add the data to the plan.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT TOTAL ACREAGE OF THE SUBDIVISION AND SQUARE FOOTAGE OF INDIVIDUAL LOTS HAS NOT BEEN PROVIDED IN THE PLAN.**

#### **Section 8.3.2.8      Appropriate Information on Plan**

Bruce Martinson stated that they would seal the approved plan.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT APPROPRIATE INFORMATION ON THE PLAN HAS BEEN PROVIDED BUT THAT THE SEAL WOULD BE NECESSARY ON THE APPROVED PLAN.**

#### **Section 8.3.2.9      Abutters**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS BEEN PROVIDED AS EXHIBIT 6 IN THE PRELIMINARY REVIEW PACKET FROM JULY 2004.**

#### **Section 8.3.2.10    Boundaries and Uses**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS BEEN PROVIDED IN COVENANT NUMBER 2.**

#### **Section 8.3.2.11    Cumberland County Medium Intensity Soil Survey**

Bruce Martinson stated that if the Planning Board did not approve a waiver the information would be provided.

Chairman Alexander stated that the Planning Board would not waive this requirement.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT APPROPRIATE INFORMATION ON THE PLAN HAS NOT BEEN PROVIDED.**

#### **Section 8.3.2.12    Sewage**

Bruce Martinson stated that they do have the site for a septic system identified, but will not be able to identify specific systems designs because they do not know what type of home will be constructed. Mr. Martinson requested a waiver of Section 8.3.2.12.

John Moore pointed out the expense of having multiple septic design plans for each lot prepared as well as the difficulties in providing septic designs not knowing what the home design will be.

Dorothy Carrier stated that the size of the system depended on the size of the home, but the Planning Board would like to know whether it will be mounded or flat.

Chairman Alexander stated that he did not recollect that this requirement has ever been waived.

The Planning Board held discussion on the requirements outlined in Section 8.3.2.12, Land Use Code Section 7, 30 MRSA 6, the Planning Board's authority and past subdivision approvals.

Joanne Rogers recommended approval of the waiver request.

Henry Korsiak stated he was in agreement with Ms. Rogers. Mr. Korsiak said that before the house was constructed they would have to gain approval from the Codes office first.

John Papacosma read the ordinance and stated that the Planning Board was bound by the ordinance.

**HENRY KORSIK MOVED, SECONDED BY JOANNE ROGERS TO  
APPROVE THE REQUEST FOR A WAIVER OF SECTION 8.3.2.12 FOR  
SUBMITTAL OF INDIVIDUAL SEPTIC SYSTEM DESIGNS FOR EACH LOT.**

**2 IN FAVOR (HENRY KORSIK, JOANNE ROGERS)**

**3 OPPOSED (JOHN PAPACOSMA, DOROTHY CARRIER, SAM ALEXANDER)**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT AN  
APPROPRIATE SEWAGE DESIGN HAS NOT BEEN PROVIDED.**

### **Section 8.3.2.13 Water Supply Systems**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS  
INFORMATION HAS BEEN PROVIDED BY HILLIER AND ASSOCIATES, INC.,  
REPORT DATED AUGUST 11, 2004.**

#### **Section 8.3.2.14 Solid Waste Disposal**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS BEEN PROVIDED BY IDENTIFYING THE RECYCLING CENTER FOR RESIDENTS AND USING A PRIVATE CONTRACTOR FOR CONSTRUCTION.**

#### **Section 8.3.2.15 Water Quantity**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAD BEEN PROVIDED IN APPLICANT SUBMISSIONS FOR THE JULY 21, 2004 PLANNING BOARD MEETING.**

#### **Section 8.3.2.16 Roads**

Jane Gregory, abutter, asked why a road which would be designated as a walking way would have to be improved.

Jay Chace, Planner, stated the applicant would only be required to improve the private driveway to Town standards up to where the second lot ends.

The Planning Board held discussion on the construction of the new road, road improvements, town roads, fees, the memorandum from the Code's Office dated August 18, 2004, and obtaining input from the Road Commissioner.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS NOT BEEN PROVIDED.**

#### **Section 8.3.2.17 Traffic**

The Planning Board held discussion on increased traffic, number of trips, and obtaining input from the Road Commissioner.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS NOT BEEN PROVIDED.**

#### **Section 8.3.2.18 Utilities**

The Planning Board held discussion on obtaining input from Central Maine Power on how they would run power into the site.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS NOT BEEN PROVIDED.**

#### **Section 8.3.2.19 Flood Hazard Areas**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS BEEN PROVIDED.**

**Section 8.3.2.20 Drainage Plan**

The Planning Board held discussion about locating the drainage ditches on the site plan and a surface drainage plan.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS NOT BEEN PROVIDED.**

**Section 8.3.2.21 Drainage, Soils or Topography Problems**

Bruce Martinson stated that there were no problems with the site other than the identified wetland and pond.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS BEEN PROVIDED.**

**Section 8.3.2.22 Hydrogeologic Assessment**

The Planning Board held discussion on the 1987 Town of Harpswell Comprehensive Plan.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS CRITERIA WAS NOT APPLICABLE.**

**Section 8.3.2.23 Historic, Archeological, Scenic Resources**

Bruce Martinson stated that he has attempted to obtain this information from the Harpswell Historical Society but has not had his messages returned.

The Planning Board held discussion on obtaining input from the Maine Historic Preservation Commission or the Harpswell Historical Society.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS NOT BEEN PROVIDED.**

**Section 8.3.2.24 Character**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS BEEN PROVIDED IN APPLICANT SUBMISSIONS FOR THE JULY 21, 2004 PLANNING BOARD MEETING.**

**Section 8.3.2.25 Wildlife Habitat**

The Planning Board held discussion on the Inland Fisheries and Wildlife online data base.

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS NOT BEEN PROVIDED.**

**Section 8.3.2.26 Parks**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS CRITERIA WAS NOT APPLICABLE.**

**Section 8.3.2.27 Open Space**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS CRITERIA WAS NOT APPLICABLE.**

**Section 8.3.2.28 Homeowners/Landowners Association**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS CRITERIA WAS NOT APPLICABLE.**

**Section 8.3.2.29 Erosion and Sedimentation Control Plan**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS BEEN PROVIDED IN THE SKETCH PROVIDED ON AUGUST 18, 2004.**

**Section 8.3.2.30 Fencing and Screening**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS CRITERIA WAS NOT APPLICABLE.**

**Section 8.3.2.31 Construction Costs**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS CRITERIA WAS NOT APPLICABLE.**

**Section 8.3.2.32 Offshore Islands**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS CRITERIA WAS NOT APPLICABLE.**

**Section 8.3.2.33 Substantial Improvements**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS CRITERIA WAS NOT APPLICABLE.**

**Section 8.3.2.34 License/Approvals**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS INFORMATION HAS BEEN PROVIDED IN THE FORM OF A MEMO.**

**Section 8.3.2.35 Other Information**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS CRITERIA WAS NOT APPLICABLE.**

**Section 8.3.2.36 Subdivision Revision Application**

**THE PLANNING BOARD WAS POLLED AND IT WAS AGREED THAT THIS CRITERIA WAS NOT APPLICABLE.**

Bruce Martinson asked for input on the application criteria of Section 9 to get the Planning Board's recommendations on submission item that may not meet the application criteria.

The Planning Board recommended the following items:

**Section 9.2 Municipal Services**

The Planning Board asked that the applicant locate any dry hydrants on the site plan and obtain a letter from the fire chief with regard to the fire department's ability to provide services.

**Section 9.5 Land Not Suitable for Development**

The Planning Board asked that the applicant obtain accurate measurements for the wetlands.

**Section 9.12 Stormwater Management**

The Planning Board asked that the applicant provide a stormwater management plan.

**Section 9.14 Aesthetic, Cultural and Natural Values**

The Planning Board asked that the applicant provide a letter from the Historic Preservation Society.

Chair

### **OTHER BUSINESS**

Jay Chace, Planner, introduced the new Planning Assistant Marsha Hinton and asked the Planning Board for any comments on improvements to the memorandum or application packets prepared by the Planning Office.

The Planning Board held discussion on process improvement and information needed to meet approval criteria.

There being no other business before the Planning Board, **DOROTHY CARRIER MOVED, SECONDED BY HENRY KORSIAK TO ADJOURN.**

Meeting adjourned at 9:45 p.m.

Respectfully Submitted,

Marsha M. Hinton  
Planning Assistant